

CALIFORNIA INSPECTION & MAINTENANCE REVIEW COMMITTEE

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May 18, 2004

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The Honorable Arnold Schwarzenegger
Governor, State of California
State Capitol
Sacramento, California 95814

Dear Governor Schwarzenegger:

We are writing about the Department of Motor Vehicles' (DMV) position on Assembly Bill 2683 (Lieber) a bill that removes an exemption to the Smog Check Program (Program). DMV has opposed the bill "unless the bill is amended to accommodate the limitations of DMV's billing system." DMV's proposed change reduces the air quality benefit of AB 2683. DMV's concerns likely can be met without exempting 1976 vehicles from the Program.

By way of background, various provisions of state law exempt vehicles thirty model-years and older from the emissions inspection and repair requirements of the Program. These sections of law, referred to as the 'thirty-year rolling exemption', mean that every calendar year, another model-year vehicle is exempt from the Program. As additional vehicles are exempted from the Program, the air quality benefit is reduced.

On May 29, 2003, the California Inspection and Maintenance Review Committee (Committee) recommended that the rolling exemption be amended to establish a smog check exemption only for 1975 and earlier model-year vehicles. AB 2683 was introduced this session to freeze the exemption at 1975 and older model year vehicles. The DMV is seeking an amendment to exempt the 1976 model year from the smog check program in order to give DMV more time to make the necessary software changes in its billing system.

This letter respectfully requests that you ask the DMV to withdraw its opposition to AB 2683. The reasons are as follows:

1. The enactment of AB 2683 as introduced, will result in needed emission reductions from 1976 model-year vehicles. These emissions reductions will be permanently lost if the DMV's request is adopted.
2. In a report on the effectiveness of the Program submitted to the Legislature in 2000, both the California Air Resources Board and the Bureau of Automotive Repair recommended ending future exemptions for old cars.
3. The Committee believes that with more effort, a solution can be found to reconcile the DMV billing system with the stated objective of AB 2683. Our understanding is that costs involved in notifying vehicle owners of Smog Check requirements are paid by Smog Check certificate fees and are not general fund costs.

AB 2683 is supported by a broad-based, committed coalition of business, environment, and government organizations in California concerned about air quality and public health. Governor Schwarzenegger, your administration has expressed an unreserved endorsement of clean air, and this measure furthers that objective. Consequently, we believe that AB 2683 deserves full Administration support.

Sincerely,

Victor Weisser
Chairman

cc: Dennis Albiani
Deputy Legislative Secretary